

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JEREMY COLE DEHART,

Case No. 1:23-cv-01716-SKO (HC)

Petitioner,

ORDER DENYING MOTION FOR  
APPOINTMENT OF COUNSEL

V.

[Doc. 8]

FRESNO SUPERIOR COURT,

### Respondent.

17 Petitioner has requested the appointment of counsel. There currently exists no absolute  
18 right to appointment of counsel in habeas proceedings. See, e.g., Anderson v. Heinze, 258 F.2d  
19 479, 481 (9th Cir. 1958); Mitchell v. Wyrick, 727 F.2d 773, 774 (8th Cir. 1984). However, Title  
20 18 U.S.C. § 3006A(a)(2)(B) authorizes the appointment of counsel at any stage of the case if "the  
21 interests of justice so require." See Rule 8(c), Rules Governing Section 2254 Cases. In the  
22 present case, the Court does not find that the interests of justice require the appointment of  
23 counsel at the present time.

24 Accordingly, IT IS HEREBY ORDERED that Petitioner's request for appointment of  
25 counsel is DENIED.

IT IS SO ORDERED.

28 | Dated: **January 2, 2024**

*/s/ Sheila K. Oberto*

1 UNITED STATES MAGISTRATE JUDGE  
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